

SECOND REGULAR SESSION

HOUSE BILL NO. 1262

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES CORNEJO (Sponsor), PARKINSON, HICKS, CONWAY (104),
SOMMER AND ZERR (Co-sponsors).

5038L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 565, RSMo, by adding thereto one new section relating to the offense of impersonation of an actual person by electronic means, with a penalty provision.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 565, RSMo, is amended by adding thereto one new section, to be known as section 565.093, to read as follows:

565.093. 1. As used in this section, the following terms shall mean:

(1) "Electronic means", includes opening an e mail account, an instant messaging account, or an account or profile on a social networking internet website in another person's name, or changing or otherwise manipulating the system metadata to identify another person's name;

(2) "System metadata", automatically generated information about the source, or author or authors of an electronically created or stored file or document.

2. A person commits the offense of impersonation of an actual person by electronic means if such person knowingly and without consent credibly impersonates another actual person through or on an internet website or by other electronic means for purposes of harming, intimidating, threatening, or defrauding another person.

3. For purposes of this section, an impersonation is credible if another person would reasonably believe or did reasonably believe that the defendant was or is the person who was impersonated.

4. Any person who commits the offense of impersonation of an actual person by electronic means is guilty of a class A misdemeanor.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 **5. Nothing in this section shall be construed as precluding prosecution under any**
18 **other law.**

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